Commonwealth of Kentucky
Natural Resources and Environmental Protection Cabinet
Department for Environmental Protection
Division for Air Quality
803 Schenkel Lane
Frankfort, Kentucky 40601
(502) 573-3382

AIR QUALITY PERMIT

Permittee Name:	**TransMontaigne Terminaling, Incorporated - Paducah Complex**
Mailing Address:	**TransMontaigne Terminaling, Incorporated** **280 N. College, Suite 500** **Fayetteville, AR 72701**
Source Name:	**TransMontaigne Terminaling, Incorporated - Paducah Complex**
Mailing Address:	**233 Elizabeth St.** **Paducah, Kentucky**
Source Location:	**Same as above**
Permit Type:	**Federally-Enforceable**
Review Type:	**Title V**
Permit Number:	**V-99-021**
Log Number:	**G019**
Application Complete Date:	**May 18, 1999**
KYEIS ID #:	**072-2460-0052**
AFS Plant ID #:	**21-145-00052**
SIC Code:	**4226**
Region:	**Paducah**
County:	**McCracken**
Issuance Date:	
Expiration Date:	

John E. Hornback, Director
Division for Air Quality

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SECTION A - PERMIT AUTHORIZATION

Pursuant to a duly submitted application which was determined to be complete on May 18, 1999, the Kentucky Division for Air Quality hereby authorizes the operation of the equipment described herein in accordance with the terms and conditions of this permit. This permit has been issued under the provisions of Kentucky Revised Statutes Chapter 224 and regulations promulgated pursuant thereto.

The permittee shall not construct, reconstruct, or modify any affected facilities without first having submitted a complete application and receiving a permit for the planned activity from the permitting authority, except as provided in this permit or in the Regulation 401 KAR 50:035, Permits.

Issuance of this permit does not relieve the permittee from the responsibility of obtaining any other permits, licenses, or approvals required by this Cabinet or any other federal, state, or local agency.

SECTION B - EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS

Paducah Terminal:

15 (FL-1) Two-Bay Tank Truck Loading Rack with eleven (11) loading arms and associated pipeline equipment, with Loading Rack emissions controlled by a John Zinc Flare, Efficiency-99%. Reconstructed 1988.

APPLICABLE REGULATIONS:

401 KAR 60:005. [40 CFR Part 60] *Standards of performance for new stationary sources*:

- The applicable provisions in 40 CFR 60.1 to 60.19 (Subpart A), *General Provisions*, which is incorporated by reference in Section 3 of the 401 KAR 60:005; and
- 40 CFR 60.500 to 60.506 [Subpart XX], *Standards of Performance for Bulk Gasoline Terminals*, as published in the Code of Federal Regulations, 40 CFR Part 60, July 1, 1998

REGULATIONS NOT APPLICABLE:

40 CFR 63, Subpart R, does not apply since the PTE for any hazardous air pollutant does not exceed 10 TPY, and 25 TPY for combined HAPs.

1. Operating Limitations:

Terminal

a. The permittee shall notify the division in writing and receive written approval prior to loading liquids other than those listed below:

Diesel Fuel
Conventional Gasoline
Resin Oil No. 80
Jet A/Kerosene

b. Tank trucks - loadings of liquid product into gasoline tank trucks shall be limited to vapor-tight gasoline tank trucks using the following procedures [401 KAR 60:500]:
   (1) The owner or operator shall obtain the vapor tightness documentation described in 40 CFR 60.505(b) for each gasoline tank truck which is to be loaded at the affected facility.
   (2) The owner or operator shall require the tank identification number to be recorded as each gasoline tank truck is loaded at the affected facility.
   (3) The owner or operator shall cross-check each tank identification number obtained in item (b)(2) above with the file of tank vapor tightness documentation within 2 weeks after the corresponding tank is loaded.
   (4) The terminal owner or operator shall notify the owner or operator of each nonvapor-tight gasoline tank truck loaded at the affected facility within 3 weeks after the loading has occurred.
   (5) The terminal owner or operator shall take steps assuring that the nonvapor-tight gasoline tank truck will not be reloaded at the affected facility until vapor tightness documentation for that tank is obtained.

c. The owner or operator shall act to assure that loadings of gasoline tank trucks at the affected facility are made only into tanks equipped with vapor collection equipment that is compatible with the terminal's vapor collection system.

SECTION B - EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

d. The owner or operator shall act to assure that the terminal's and the tank truck's vapor collection systems are connected during each loading of a gasoline tank truck at the affected facility. Examples of actions to accomplish this include training drivers in the hookup procedures and posting visible reminder signs at the affected loading racks.

e. The vapor collection and liquid loading equipment shall be designed and operated to prevent gauge pressure in the delivery tank from exceeding 4,500 pascals (450 mm of water) during product loading. This level is not to be exceeded when measured by the procedures specified in **3.Testing Requirements:** (d) below.

f. No pressure-vacuum vent in the bulk gasoline terminal's vapor collection system shall begin to open at a system pressure less than 4,500 pascals (450 mm of water).

h. Each calendar month, the vapor collection system, the vapor processing system, and each loading rack handling gasoline shall be inspected during the loading of gasoline tank trucks for total organic compounds liquid or vapor leaks. For purposes of this paragraph, detection methods incorporating sight, sound, or smell are acceptable. Each detection of a leak shall be recorded and the source of the leak repaired within 15 calendar days after it is detected.

Flares:

a. (1) Flares shall be designed for and operated with no visible emissions as determined by the methods specified in item **Flares:** d. below except for periods not to exceed a total of 5 minutes during any 2 consecutive hours.

(2) Flares shall be operated with a flame present at all times, as determined by the methods specified in item **Flares:** d. below.

(3) Flares shall be used only with the net heating value of the gas being combusted being 11.2 MJ/scm (300 Btu/scf) or greater if the flare is steam-assisted or air-assisted; or with the net heating value of the gas being combusted being 7.45 MJ/scm (200 Btu/scf) or greater if the flare is nonassisted. The net heating value of the gas being combusted shall be determined by the methods specified in item **Flares:** d. below.

(4) i. Steam-assisted and nonassisted flares shall be designed for and operated with an exit velocity, as determined by the methods specified in item **Flares:** d. (4) below, less than 18.3 m/sec (60 ft/sec), except as provided in a.(4) ii. and iii. as follows.

ii. Steam-assisted and nonassisted flares designed for and operated with an exit velocity, as determined by the methods specified in item **Flares:** d.(4) below, equal to or greater than 18.3 m/sec (60 ft/ sec) but less than 122 m/sec (400 ft/sec) are allowed if the net heating value of the gas being combusted is greater than 37.3 MJ/scm (1,000 Btu/scf).

iii. Steam-assisted and nonassisted flares designed for and operated with an exit velocity, as determined by the methods specified in item **Flares:** d.(4) below, less than the velocity, Vmax, as determined by the method specified in item **Flares:** d.(5) below, and less than 122 m/sec (400 ft/sec) are allowed.

SECTION B - EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

(5) Air-assisted flares shall be designed and operated with an exit velocity less than the velocity, Vmax, as determined by the method specified in item **Flares:** d.(6) below.

(6) Flares used to comply with this requirement shall be steam-assisted, air-assisted, or nonassisted.

b. Owners or operators of flares used to comply with this requirement shall monitor these control devices to ensure that they are operated and maintained in conformance with their designs.

c. Flares used to comply with this requirement shall be operated at all times when emissions may be vented to them.

d. (1) Reference Method 22 shall be used to determine the compliance of flares with the visible emission provisions. The observation period is 2 hours and shall be used according to Method 22.
(2) The presence of a flare pilot flame shall be monitored using a thermocouple or any other equivalent device to detect the presence of a flame.
(3) The net heating value of the gas being combusted in a flare shall be calculated using the following equation:

$$H_T = K \sum_{i=1}^{n} Chi$$

where:
H_T=Net heating value of the sample, MJ/scm; where the net enthalpy per mole of off gas is based on combustion at 25 °C and 760 mm Hg, but the standard temperature for determining the volume corresponding to one mole is 20 °C;
K = Constant, 1.740×10^{-7} (1/ppm) (g mole/scm) (Mj/kcal) where the standard temperature for (g mole/scm) is 20 degrees C;
Ci=Concentration of sample component i in ppm on a wet basis, as measured for organics by Reference Method 18 and measured for hydrogen and carbon monoxide by ASTM D1996–77 (Incorporated by reference as specified in 40 CFR 60.17); and Hi=Net heat of combustion of sample component i, kcal/ g mole at 25 °C and 760 mm Hg. The heats of combustion may be determined using ASTM D2382–76 (incorporated by reference as specified in 40 CFR 60.17) if published values are not available or cannot be calculated.

(4) The actual exit velocity of a flare shall be determined by dividing the volumetric flowrate (in units of standard temperature and pressure), as determined by Reference Methods 2, 2A, 2C, or 2D as appropriate; by the unobstructed (free) cross sectional area of the flare tip.

SECTION B - EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

(5) The maximum permitted velocity, Vmax, for flares complying with item **Flares:** a(4)(iii) shall be determined by the following equation: Log10 (Vmax)=(HT+28.8)/31.7. Where: Vmax=Maximum permitted velocity, (m/sec); 28.8=Constant; 31.7=Constant; HT=The net heating value as determined in 40 CFR 63.11 paragraph (b)(6).

(6) The maximum permitted velocity, Vmax, for air-assisted flares shall be determined by the following equation: Vmax=8.706+0.7084 (H_T). Where Vmax=Maximum permitted velocity, (m/sec); 8.706=Constant; 0.7084=Constant; H_T=The net heating value as determined in 40 CFR 63.11 paragraph (b)(6)(ii).

2. Emission Limitations:

Loading rack - the emissions to the atmosphere from the John Zinc flare due to the loading of liquid product into gasoline tank trucks shall not exceed 35 milligrams (2.92×10^{-4} lb/gallon) of total organic compounds per liter of gasoline loaded. [401 KAR 60:005, Subpart XX]

Compliance Demonstration Method:

Calculated Controlled (@99%) Emission Limit (lb/gallon) = 8.913×10^{-7}(P*M)
Where:
P - true vapor pressure of liquid loaded, pounds per square inch absolute (psia) - To calculate emission limit, reference the material safety data sheet (MSDS) per each load of gasoline purchased and processed through the loading rack.
M - molecular weight of vapors, pounds per pound-mole (lb/lb-mole) - To calculate emission limit, reference the material safety data sheet (MSDS) per each load of gasoline purchased and processed through the loading rack.

3. Testing Requirements:

Pursuant to 40 CFR 60.8, Performance test, the permittee shall perform emission testing within 60 days of receipt of a written request from the division. The testing shall be performed in accordance with the procedures or methods below.

a. For performance testing, the following test methods and procedures are required.
   (1) EPA ReferenceTest Method 2A or B to monitor volume of air/vapor exhausted per interval as specified in 40 CFR 60, Appendix A
   (2) EPA Reference Method 21 as specified in 40 CFR 60, Appendix A to monitor for leakage of vapor all potential sources in the terminal's vapor collection system equipment while a gasoline tank truck is being loaded.
   (3) EPA Reference Method 25A or B to determine total organic compounds concentration as specified in 40 CFR 60, Appendix A
   (4) EPA Reference Method 27 to determine gasoline delivery tank pressure as specified in 40 CFR 60, Appendix A

SECTION B - EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

b. Equipment leaks - immediately before the above performance test required to determine compliance with 40 CFR 60.502 (b.), and (h), the owner or operator shall use Method 21 to monitor for leakage of vapor all potential sources in the terminal's vapor collection system equipment while a gasoline tank truck is being loaded. The owner or operator shall repair all leaks with readings of 10,000 ppm (as methane) or greater before conducting the performance test.

c. Loading rack - the owner or operator shall determine compliance with the standards in 40 CFR 60.502 (b.) as follows:
   (1) The above performance test shall be 6 hours long during which at least 300,000 liters of gasoline is loaded. If this is not possible, the test may be continued the same day until 300,000 liters of gasoline is loaded or the test may be resumed the next day with another complete 6-hour period. In the latter case, the 300,000-liter criterion need not be met. However, as much as possible, testing should be conducted during the 6-hour period in which the highest throughput normally occurs.
   (2) If the vapor processing system is intermittent in operation, the performance test shall begin at a reference vapor holder level and shall end at the same reference point. The test shall include at least two startups and shutdowns of the vapor processor. If this does not occur under automatically controlled operations, the system shall be manually controlled.
   (3) The emission rate of total organic compounds shall be computed using the equation specified at 40 CFR 60.503(c)(3).
   (4) The performance test shall be conducted in intervals of 5 minutes. For each interval, readings from each measurement shall be recorded, and the volume exhausted and the corresponding average total organic compounds concentration shall be determined. The sampling system response time shall be considered in determining the average total organic compounds concentration corresponding to the volume exhausted.
   (5) The following methods shall be used to determine the volume air-vapor mixture exhausted at each interval:
      i. Method 2B shall be used for combustion vapor processing systems.
      ii. Method 2A shall be used for all other vapor processing systems.
   (6) Method 25A or 25B shall be used for determining the total organic compounds. concentration at each interval. The calibration gas shall be either propane or butane. The owner or operator may exclude the methane or ethane content in the exhaust vent by any method (e.g., Method 18) approved by the division.
   (7) To determine the volume of gasoline dispensed during the performance test period at all loading racks whose vapor emissions are controlled by the processing system being tested, terminal records or readings from gasoline dispensing meters at each loading rack shall be used.

d. The owner or operator shall determine compliance with the standard in 40 CFR 60.502 (h) as follows:
   (1) A pressure measurement device (liquid manometer, magnehelic gauge, or equivalent instrument), capable of measuring up to 500 mm of water gauge pressure with ±2.5 mm of water precision, shall be calibrated and installed on the terminal's vapor collection system at a pressure tap located as close as possible to the connection with the gasoline tank truck.

SECTION B - EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

(2) During the above performance test, the pressure shall be recorded every 5 minutes while a gasoline truck is being loaded; the highest instantaneous pressure that occurs during each loading shall also be recorded. Every loading position must be tested at least once during the performance test.

4. Specific Monitoring Requirements:

a. Tank trucks - refer to Emission Point 15(FL-1) items **1. Operating Limitations: Terminal** b.- h. above and **5. Specific Recordkeeping Requirements** b.1.- 8., below.

b. Equipment leaks - refer to Emission Point 15(FL-1) items **3. Testing Requirements** b. above and **5.Specific Recordkeeping Requirements:** c., below.

c. Maintain Material Safety Data Sheets(MSDS) or certified records for each material type including type of gasoline loaded which indicate the vapor pressure (P) (psia) and vapor molecular weight (M).

d. Maintain a log of gallons of petroleum products loaded or processed.

e. Refer to **SECTION F - MONITORING, RECORD KEEPING, AND REPORTING REQUIREMENTS**.

5. Specific Recordkeeping Requirements:

a. The tank truck vapor tightness documentation required under 40 CFR 60.502(e)(1) shall be kept on file at the terminal in a permanent form available for inspection.

b. The documentation file for each gasoline tank truck shall be updated at least once per year to reflect current test results as determined by Method 27 of 40 CFR 60 Appendix A. This documentation shall include, as a minimum, the following information:
(1) Test title: Gasoline Delivery Tank Pressure Test EPA Reference Method 27.
(2) Tank owner and address.
(3) Tank identification number.
(4) Testing location.
(5) Date of test.
(6) Tester name and signature.
(7) Witnessing inspector, if any: Name, signature, and affiliation.
(8) Test results: Actual pressure change in 5 minutes, mm of water (average for 2 runs).

c. A record of each monthly leak inspection required under item **1. Operating Limitation: Terminal** h., above, shall be kept on file at the terminal for at least 5 years. Inspection records shall include, as a minimum, the following information:
(1) Date of inspection.
(2) Findings (may indicate no leaks discovered; or location, nature, and severity of each leak).
(3) Leak determination method.

SECTION B - EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

(4) Corrective action (date each leak repaired; reasons for any repair interval in excess of 15 days).
(5) Inspector name and signature.

d. The terminal owner or operator shall keep documentation of all notifications required under 40 CFR 60.502 (e)(4) on file at the terminal for at least 5 years.

e. The owner or operator shall keep records of all replacements or additions of components performed on an existing vapor processing system for 5 years.

f. Maintain quarterly records of the Calculated Controlled(@98%)Emission Limit (lb/gallon).

g. Refer to **SECTION F - MONITORING, RECORD KEEPING, AND REPORTING REQUIREMENTS** items 5 and 10.

6. Specific Reporting Requirements:

Every six (6) months, report the number of tank trucks, volume gasoline loaded, and Calculated Controlled (@99%)Emission Limit (lb/gallon) to the Paducah Regional Office. Records required under each section shall be maintained on site for a period of five (5) years after each is recorded, and the permittee shall provide these records to division or regional office personnel upon request.

7. Specific Control Equipment Operating Conditions: NA

SECTION B - EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

04 (LR-1) Two-Bay Tank Truck Loading Rack with fourteen (14) loading arms and associated pipeline equipment, with Loading Rack emissions controlled by an Adsorption/Absorption Vapor Recovery Unit, Efficiency-99.9%. Reconstructed 1989

APPLICABLE REGULATIONS:

401 KAR 60:005. *Standards of performance for new stationary sources*:

- The applicable provisions in 40 CFR 60.1 to 60.19 (Subpart A), *General Provisions*, which is incorporated by reference in Section 3 of the above administrative regulation; and
- 40 CFR 60.500 to 60.506 (Subpart XX), *Standards of Performance for Bulk Gasoline Terminals*, as published in the Code of Federal Regulations, 40 CFR Part 60, July 1, 1998

REGULATIONS NOT APPLICABLE:

Since the annual PTE for any hazardous air pollutant does not exceed 10 TPY, nor 25 TPY for all HAPs, the Paducah Complex is not an "affected source" as defined in 40 CFR 63, Subpart R.

1. **Operating Limitations Terminal:**
   a. The permittee shall notify the division in writing and receive written approval prior to loading liquids other than those listed below:

      Diesel Fuel
      Conventional Gasoline
      Xylene (-m)

   b. Tank trucks - loadings of liquid product into gasoline tank trucks shall be limited to vapor-tight gasoline tank trucks using the following procedures [401 KAR 60:500]:
      (1) The owner or operator shall obtain the vapor tightness documentation described in 40 CFR 60.505(b) for each gasoline tank truck which is to be loaded at the affected facility.
      (2) The owner or operator shall require the tank identification number to be recorded as each gasoline tank truck is loaded at the affected facility.
      (3) The owner or operator shall cross-check each tank identification number obtained in item b.(2) above with the file of tank vapor tightness documentation within 2 weeks after the corresponding tank is loaded.
      (4) The terminal owner or operator shall notify the owner or operator of each nonvapor-tight gasoline tank truck loaded at the affected facility within 3 weeks after the loading has occurred.
      (5) The terminal owner or operator shall take steps assuring that the nonvapor-tight gasoline tank truck will not be reloaded at the affected facility until vapor tightness documentation for that tank is obtained.

   c. The owner or operator shall act to assure that loadings of gasoline tank trucks at the affected facility are made only into tanks equipped with vapor collection equipment that is compatible with the terminal's vapor collection system.

SECTION B - EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

d. The owner or operator shall act to assure that the terminal's and the tank truck's vapor collection systems are connected during each loading of a gasoline tank truck at the affected facility. Examples of actions to accomplish this include training drivers in the hookup procedures and posting visible reminder signs at the affected loading racks.

e. The vapor collection and liquid loading equipment shall be designed and operated to prevent gauge pressure in the delivery tank from exceeding 4,500 pascals (450 mm of water) during product loading. This level is not to be exceeded when measured by the procedures specified in **3.Testing Requirements** d. below.

f. No pressure-vacuum vent in the bulk gasoline terminal's vapor collection system shall begin to open at a system pressure less than 4,500 pascals (450 mm of water).

h. Each calendar month, the vapor collection system, the vapor processing system, and each loading rack handling gasoline shall be inspected during the loading of gasoline tank trucks for total organic compounds liquid or vapor leaks. For purposes of this paragraph, detection methods incorporating sight, sound, or smell are acceptable. Each detection of a leak shall be recorded and the source of the leak repaired within 15 calendar days after it is detected.

2. Emission Limitations:

Loading rack (LR-1) - The emissions to the atmosphere from the carbon adsorber due to the loading of liquid product into gasoline tank trucks shall not exceed 35 milligrams (2.92×10^{-4} lb/gallon) of total organic compounds per liter of gasoline loaded. [401 KAR 60:005, Subpart XX]

Compliance Demonstration Method:

Calculated Controlled (@99.9%) Emission Limit (lb/gallon) = 7.890×10^{-7}(P*M)
Where:
P - true vapor pressure of liquid loaded, pounds per square inch absolute (psia) - To calculate emission limit, reference the material safety data sheet (MSDS) for each load of gasoline purchased and processed through the loading rack.
M - molecular weight of vapors, pounds per pound-mole (lb/lb-mole) - To calculate the emission limit, reference the material safety data sheet (MSDS) for each load of gasoline purchased and processed through the loading rack.

3. Testing Requirements:

Pursuant to 40 CFR 60.8, *Performance test*, the permittee shall perform emission testing within 60 days of receipt of a written request from the division. The testing shall be performed in accordance with the procedures or methods below.

a. For performance testing, the following test methods and procedures are required.
   (1) EPA Reference Test Method 2A or B to monitor volume of air/vapor exhausted per interval as specified in 40 CFR 60, Appendix A.
   (2) EPA Reference Method 21 as specified in 40 CFR 60, Appendix A to monitor for leakage of vapor all potential sources in the terminal's vapor collection system equipment while a gasoline tank truck is being loaded.

SECTION B - EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

(3) EPA Reference Method 25A or B to determine total organic compounds concentration as specified in 40 CFR 60, Appendix A.
(4) EPA Reference Method 27 to determine gasoline delivery tank pressure as specified in 40 CFR 60, Appendix A.

b. Equipment leaks - immediately before the above performance test required to determine compliance with 40 CFR 60.502 (b.), and (h), the owner or operator shall use Method 21 to monitor for leakage of vapor all potential sources in the terminal's vapor collection system equipment while a gasoline tank truck is being loaded. The owner or operator shall repair all leaks with readings of 10,000 ppm (as methane) or greater before conducting the performance test.

c. Loading rack - the owner or operator shall determine compliance with the standards in 40 CFR 60.502 (b.) as follows:
(1) The above performance test shall be 6 hours long during which at least 300,000 liters of gasoline is loaded. If this is not possible, the test may be continued the same day until 300,000 liters of gasoline is loaded or the test may be resumed the next day with another complete 6-hour period. In the latter case, the 300,000-liter criterion need not be met. However, as much as possible, testing should be conducted during the 6-hour period in which the highest throughput normally occurs.
(2) If the vapor processing system is intermittent in operation, the performance test shall begin at a reference vapor holder level and shall end at the same reference point. The test shall include at least two startups and shutdowns of the vapor processor. If this does not occur under automatically controlled operations, the system shall be manually controlled.
(3) The emission rate of total organic compounds shall be computed using the equation specified at 40 CFR 60.503(c)(3).
(4) The performance test shall be conducted in intervals of 5 minutes. For each interval, readings from each measurement shall be recorded, and the volume exhausted and the corresponding average total organic compounds concentration shall be determined. The sampling system response time shall be considered in determining the average total organic compounds concentration corresponding to the volume exhausted.
(5) The following methods shall be used to determine the volume air-vapor mixture exhausted at each interval:
i. Method 2B shall be used for combustion vapor processing systems.
ii. Method 2A shall be used for all other vapor processing systems.
(6) Method 25A or 25B shall be used for determining the total organic compounds. concentration at each interval. The calibration gas shall be either propane or butane. The owner or operator may exclude the methane or ethane content in the exhaust vent by any method (e.g., Method 18) approved by the division.
(7) To determine the volume of gasoline dispensed during the performance test period at all loading racks whose vapor emissions are controlled by the processing system being tested, terminal records or readings from gasoline dispensing meters at each loading rack shall be used.

d. The owner or operator shall determine compliance with the standard in 40 CFR 60.502 (h) as follows:
(1) A pressure measurement device (liquid manometer, magnehelic gauge, or equivalent instrument), capable of measuring up to 500 mm of water gauge pressure with ±2.5 mm of water precision, shall be calibrated and installed on the terminal's vapor collection system at a pressure tap located as close as possible to the connection with the gasoline tank truck.

SECTION B - EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

(2) During the above performance test, the pressure shall be recorded every 5 minutes while a gasoline truck is being loaded; the highest instantaneous pressure that occurs during each loading shall also be recorded. Every loading position must be tested at least once during the performance test.

4. Specific Monitoring Requirements:

a. Tank trucks - refer to items **1.Operating Limitations Terminals** b.- h. above and **5. Specific Recordkeeping Requirements** b.1- 8, below.

b. Equipment leaks - refer to items **3. Testing Requiremets** b. above and **5. Specific Recordkeeping Requirements** c., below.

c. Maintain Material Safety Data Sheets(MSDS) or certified records for each material type including type of gasoline loaded which indicate the vapor pressure (P) (psia) and vapor molecular weight (M).

d. Maintain a log of gallons of petroleum products loaded or processed.

e. Maintain a daily log of carbon bed temperature and maximum vacuum pressure produced during the regeneration cycle.

f. Refer to **SECTION F - MONITORING, RECORD KEEPING, AND REPORTING REQUIREMENTS**.

5. Specific Recordkeeping Requirements:

a. The tank truck vapor tightness documentation required under 40 CFR 60.502(e)(1) shall be kept on file at the terminal in a permanent form available for inspection.
b. The documentation file for each gasoline tank truck shall be updated at least once per year to reflect current test results as determined by Method 27 of 40 CFR 60 Appendix A. This documentation shall include, as a minimum, the following information:
   (1) Test title: Gasoline Delivery Tank Pressure Test EPA Reference Method 27.
   (2) Tank owner and address.
   (3) Tank identification number.
   (4) Testing location.
   (5) Date of test.
   (6) Tester name and signature.
   (7) Witnessing inspector, if any: Name, signature, and affiliation.
   (8) Test results: Actual pressure change in 5 minutes, mm of water (average for 2 runs).
c. A record of each monthly leak inspection required above for Emission Point 04 (LR-1) item 1.(h.), above, shall be kept on file at the terminal for at least 5 years. Inspection records shall include, as a minimum, the following information:
   (1) Date of inspection.
   (2) Findings (may indicate no leaks discovered; or location, nature, and severity of each leak).
   (3) Leak determination method.

SECTION B - EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

(4) Corrective action (date each leak repaired; reasons for any repair interval in excess of 15 days).
(5) Inspector name and signature.

d. The terminal owner or operator shall keep documentation of all notifications required under 40 CFR 60.502 (e)(4) on file at the terminal for at least 5 years.
e. The owner or operator of an affected facility shall keep records of all replacements or additions of components performed on an existing vapor processing system for 5 years.
f. Maintain quarterly records of the Calculated Controlled(@98%)Emission Limit (lb/gallon).
g. Refer to **SECTION F - MONITORING, RECORD KEEPING, AND REPORTING REQUIREMENTS** items 5 and 10.

6. Specific Reporting Requirements:

a. Every six (6) months, report the number of tank trucks, volume gasoline loaded, carbon adsorber pressure drop, and Calculated Controlled (@ 99.9%)Emission Limit (lb/gallon) to the Paducah Regional Office. Records required under each section shall be maintained on site for a period of five (5) years after each is recorded, and the permittee shall provide these records to division or Paducah Regional office personnel upon request.

7. Specific Control Equipment Operating Conditions: NA

SECTION B - EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

Petroleum product storage facilities:

Paducah Facility:

16	(T-101)	Internal Floating Roof Gasoline or lower vapor vapor pressure product storage tank 1,292,649 gallons capacity 4,899 m^3	Installed 1958
17	(T-102)	Internal Floating Roof Gasoline or lower vapor pressure product storage tank 659,400 gallons capacity 2496 m^3	Installed1958
18	(T-103)	Internal Floating Roof Gasoline or lower vapor pressure product storage tank 1,352,400 gallons capacity 5120 m^3	Installed 1958
19	(T-104)	Internal Floating Roof Gasoline or lower vapor pressure product storage tank 1,222,200 gallons capacity 4627 m^3	Installed 1958

Riverway Facility:

02	(T-1)	External Floating Roof Gasoline or lower vapor pressure product storage tank 1,218,000 gallons capacity 4611 m^3	Installed 1948
03	(T-2)	Internal Floating Roof Gasoline or lower vapor pressure vapor product storage tank 588,000 gallons capacity 2226 m^3	Installed 1939
10	(T-3)	Internal Floating Roof Gasoline or lower vapor pressure product storage tank 588,000 gallons capacity 2226 m^3	Installed 1939
11	(T-4)	Internal Floating Roof Gasoline or lower vapor pressure product storage tank 252,000 gallons capacity 99.94 m^3	Installed 1939
12	(T-5)	Internal Floating Roof Gasoline or lower vapor pressure product storage tank 210,000 gallons capacity 799.9 m^3	Installed 1939
09	(T-6)	External (with dome) Floating or lower vapor pressure product storage tank 1,260,000 gallons capacity 4770 m^3	Installed 1954

SECTION B - EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

14	(T-7)	Internal Floating Roof Gasoline or lower vapor pressure product storage tank 210,000 gallon capacity 799.9 m^3	Installed 1939
08	(T-8)	Internal Floating Roof Gasoline or lower vapor pressure product storage tank 210,000 gallon capacity 799.9 m^3	Installed 1939
13	(T-9)	Internal Floating Roof Gasoline or lower vapor pressure product storage tank 210,000 gallon capacity 799.9 m^3	Installed 1939

APPLICABLE REGULATIONS (petroleum products only):

401 KAR 50:012, *General Application*
401 KAR 61:050, *Existing storage vessels for petroleum liquids* commenced before April 9, 1972

1. Operating Limitations (petroleum products only):

a. There shall be no visible holes, tears, or other openings in the seal or any seal fabric.
b. All openings, except stub drains, shall be equipped with covers, lids, or seal so that:
   (1) The cover, lid, or seal is in the closed position at all times except during actual use;
   (2) Automatic bleeder vents are closed at all times, unless the roof is floated off or landed on the roof leg supports; and
   (3) Rim vents, if provided, are set to open if the roof is being floated off the roof leg supports or at the manufacturer's recommended setting.
c. External floating roof tanks shall meet the additional requirements:
   (1) The seals shall be intact and uniformly in place around the circumference of the floating roof between the floating roof and the tank wall.
   (2) The gap area of gaps exceeding 0.32 cm (one-eight (1/8) in) in width between the secondary seal installed pursuant to 401 KAR 61:050, Section 3(4)(a), and the tank wall shall not exceed 6.5 sq. cm./0.3 m of tank diameter (1.0 sq. in/ft).
   (3) All openings in the external floating roof, except for automatic bleeder vents, rim space vents, and leg sleeves shall provide a projection below the liquid surface.
   (4) Any emergency roof drain shall be provided with a slotted membrane fabric cover or equivalent that covers at least ninety (90) percent of the area of the opening.
d. If the storage vessel has storage capacity greater than 151,400 liters (40,000 gallons), and if the true vapor pressure of the petroleum liquid, as stored, is equal to or greater than seventy-eight (78) mm Hg (1.5 psia) but not greater than 574 mm Hg (11.1 psia) the storage vessel shall be equipped with a floating roof, a vapor recovery system, or their equivalents.
e. If the storage vessel has storage capacity greater than 151,400 liters (40,000 gallons), and if the true vapor pressure of the petroleum liquid, as stored, is greater than 574 mm Hg (11.1 psia) the storage vessel shall be equipped with a vapor recovery system, or their equivalents.
f. If the storage vessel has a storage capacity greater than 2,199.9 (580 gallons), and if the true vapor pressure of the petroleum liquid, as stored, is equal to or greater than 10.3 kilopascal (1.5 psia), as a minimum it shall be equipped with a permanent submerged fill pipe.

SECTION B - EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

g. If the storage vessel is an external floating roof tank with a storage capacity greater than 151,000 liters (40,000 gallons), it shall be retrofitted with a continuous secondary seal extending from the floating roof to the tank wall (a rim-mounted secondary seal) if:
   (1) The tank is a welded tank, the true vapor pressure of the contained liquid is 27.6 kilopascal (4.0 psia) or greater, and the primary seal is one of the following:
      (a) A metallic-type shoe seal, a liquid-mounted foam seal, or a liquid-mounted liquid - filled type seal; or
      (b) Any other closure device which can be demonstrated equivalent to the above primary seals.
   (2) The tank is riveted tank and the true vapor pressure of the contained liquid is 10.3 kilopascal (1.5 psia) or greater.
   (3) The tank is a welded tank, the true vapor pressure of the contained liquid is 10.3 kilopascal (1.5 psia) or greater, and the primary seal is vapor-mounted. If this primary seal closure device can be demonstrated equivalent to the primary seals described in 1.g.(1) above, then the secondary seal is required if the vapor pressure is 27.6 kilopascal (4.0 psia) or greater. Refer to **4. Specific Monitoring Requirements**.

2. Emission Limitations: N/A

3. Testing Requirements: N/A

4. Specific Monitoring Requirements:

All of the above petroleum storage tanks shall comply with the requirements of 401 KAR 61:050, Section 5.

a. If a liquid having a true vapor pressure greater than 7.0 kPa (1.0 psia) is stored in an external floating roof tank with a capacity of greater than 151,400 liter (40,000 gallons) not equipped with a secondary seal or approved alternative control technology, the owner or operator shall maintain a record of the average monthly storage temperature, the type of liquid, and the Reid vapor pressure of the liquid. The owner or operator shall retain the records for five (5) years after the date on which the record was made.
b. The true vapor pressure shall be determined by using the average monthly storage temperature and typical Reid vapor pressure of the contained liquid or from typical available data on the contained liquid. Supporting analytical data shall be requested by the division if there is a question on the values reported.
c. Refer to **SECTION F - MONITORING, RECORD KEEPING, AND REPORTING REQUIREMENTS,** Items 5 and 10.

5. Specific Record keeping Requirements:

a. For external floating roof storage tanks, refer to **4. Specific Monitoring Requirements,** item 4.a.
b. For all storage tanks or vessels, the permittee shall maintain a record of the tank or vessel identification, initial storage starting date for type of liquid stored, type of liquid stored in the respective tank or vessel, vapor pressure (kPa or psia), and the duration time of the liquid stored. A material safety data sheet (MSDS) for the petroleum product or other materials maybe submitted provided the above information is included on the MSDS. The permittee shall retain the records for five (5) years after the date on which the record was made.

SECTION B - EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

c. Refer to **SECTION F - MONITORING, RECORD KEEPING, AND REPORTING REQUIREMENTS** , Items 5 and 10.

6. Specific Reporting Requirements:

The permittee shall provide the above records to division or Paducah Regional office personnel upon request.

7. Specific Control Equipment Operating Conditions: NA

SECTION B - EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

05 (RBRG-1) Barge Loading

APPLICABLE REGULATIONS:

40 CFR Part 63 Subpart Y, *National Emission Standards for Marine Vessel Loading and Unloading Operations*[incorporated by reference in 401 KAR 63:002.] Because the source has less than 10 TPY HAPs, the this MACT standards does not apply, and RACT emissions standard specified at 40 CFR 63.562 are not applicable. However, for existing barge loading operations, the recordkeeping requirements of 40 CFR 63.567(j)(4) and the emission estimation requirements of 40 CFR 63.565(l) apply to sources with HAP emissions less than 10 TPY and combined HAP emissions less than 25 TPY.

1. **Operating Limitations:** NA

2. **Emission Limitations:**

   No emission limitation exists, however, 40 CFR 60, Subpart Y requires an emission estimation. Please refer to **5. Specific Recordkeeping Requirements**.

3. **Testing Requirements:** N/A

4. **Specific Monitoring Requirements:** NA

5. **Specific Recordkeeping Requirements:**
   a. The owners or operators of marine tank vessel loading operations specified in 40 CFR 63.560(a)(3) shall retain records of the emissions estimates determined in 40 CFR 63.565(l) and records of their actual throughput by commodity for 5 years. A Commodity means a distinct product that a source loads onto marine tank vessels.
   b. Emission estimation procedures: For sources with HAP emissions less than 10 or 25 tons and sources with HAP emissions of 10 or 25 tons, the owner or operator shall calculate an annual estimate of HAP emissions, excluding commodities exempted by 40 CFR 63.560(d), from marine tank vessel loading operations. Emission estimates and emission factors shall be based on test data, or if test data is not available, shall be based on measurement or estimating techniques generally accepted in industry practice for operating conditions at the source.
   c. When barge loading at the Paducah facility, maintain a log of the date loaded, material, and vapor pressure.
   d. Refer to **SECTION F - MONITORING, RECORD KEEPING, AND REPORTING REQUIREMENTS** items 5 and 10.

6. **Specific Reporting Requirements:**

   a. Report the volume of liquid loaded out by barge on a tanker-by-tanker basis. Calculate emissions from the loading operation using the most current guidance provided in AP-42. Records shall be maintained on site for a period of five (5) years after each record is recorded, and the permittee shall provide these records to division or regional office personnel upon request.

SECTION B - EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

b. Refer to **5. Specific Recordkeeping Requirements**, paragraphs 5 (a) and (b).
c. Refer to **SECTION F - MONITORING, RECORD KEEPING, AND REPORTING REQUIREMENTS** items 5 and 10.

7. Specific Control Equipment Operating Conditions: N/A

SECTION B - EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

07 (FUG-1) Fugitives (Terminal Complex)

APPLICABLE REGULATIONS:

401 KAR 50:012, *General Application*, Section 1(2)

1. **Operating Limitations:**

   In the absence of a standard specified in the above administrative regulation, all major air contaminant sources shall as a minimum apply control procedures that are reasonable, available, and practical.

2. **Emission Limitations:** N/A

3. **Testing Requirements:** N/A

4. **Specific Monitoring Requirements:**

   Refer to **SECTION F - MONITORING, RECORD KEEPING, AND REPORTING REQUIREMENTS**.

5. **Specific Record keeping Requirements:**

   Refer to **SECTION F - MONITORING, RECORD KEEPING, AND REPORTING REQUIREMENTS**.

6. **Specific Reporting Requirements:**

   Refer to **SECTION F - MONITORING, RECORD KEEPING, AND REPORTING REQUIREMENTS**.

7. **Specific Control Equipment Operating Conditions:** N/A

SECTION C - INSIGNIFICANT ACTIVITIES

The following listed activities have been determined to be insignificant activities for this source pursuant to Regulation 401 KAR 50:035, Section 5(4). While these activities are designated as insignificant the permittee must comply with the applicable regulation and some minimal level of periodic monitoring may be necessary.

	Description	Generally Applicable Regulation
(--)	Surface painting of tanks (1,000 gals/yr maximum)	401 KAR 61:020
(PBRG-1)	Barge Loading, low vapor pressure petroleum products loaded only for Paducah facility	NA
(OWS-1)	Oil/water Separator (for LR-1)	NA
(ECV-1)	Emergency Containment Vessel for (FL-1)	NA
Low VP (less than 1.5 PSIA) petroleum products:		401 KAR 61:050
(T-105,106)	Two(2) 719,198 gallons capacity (4611 m^3)	(exempt by Section 1(3))
(T-109)	124,220 gallons capacity (470 m^3)	
(T-110)	124,220 gallons capacity (470 m^3)	
Low VP petroleum products:		401 KAR 61:050
(T-10)	630,000 gallons capacity (2385 m^3)	(exempt by Section 1(3))
(T-11)	630,000 gallons capacity (2385 m^3)	
(T-12)	1,260,000 gallons capacity (4770 m^3)	
Additive Tanks:		
(AD-1)	3,990 gallons capacity (15 m^3)	NA
(AD-2)	9,996 gallons capacity (38 m^3)	NA
(AD-3)	12,012 gallons capacity (45 m^3)	NA
(AD-4)	8,274 gallons capacity (31m^3)	NA
(AD-5)	1,008 gallons capacity (4 m^3)	NA
(40A)	9,996 gallons capacity (38 m^3)	NA

SECTION D - SOURCE EMISSION LIMITATIONS AND TESTING REQUIREMENTS

NA

SECTION E - SOURCE CONTROL EQUIPMENT REQUIREMENTS

Pursuant to 401 KAR 50:055, Section 2(5), at all times, including periods of startup, shutdown and malfunction, owners and operators shall, to the extent practicable, maintain and operate any affected facility including associated air pollution control equipment in a manner consistent with good air pollution control practice for minimizing emissions. Determination of whether acceptable operating and maintenance procedures are being used will be based on information available to the division which may include, but is not limited to, monitoring results, opacity observations, review of operating and maintenance procedures, and inspection of the source.

SECTION F - MONITORING, RECORD KEEPING, AND REPORTING REQUIREMENTS

1. When continuing compliance is demonstrated by periodic testing or instrumental monitoring, the permittee shall compile records of required monitoring information that include:
   a. Date, place as defined in this permit, and time of sampling or measurements.
   b. Analyses performance dates;
   c. Company or entity that performed analyses;
   d. Analytical techniques or methods used;
   e. Analyses results; and
   f. Operating conditions during time of sampling or measurement;

2. Records of all required monitoring data and support information, including calibrations, maintenance records, and original strip chart recordings, and copies of all reports required by the Division for Air Quality, shall be retained by the permittee for a period of five years and shall be made available for inspection upon request by any duly authorized representative of the Division for Air Quality. [401 KAR 50:035, Permits, Section 7(1)(d)2 and 401 KAR 50:035, Permits, Section 7(2)(c)]

3. In accordance with the requirements of Regulation 401 KAR 50:035, Permits, Section 7(2)(c) the permittee shall allow the Cabinet or authorized representatives to perform the following:
   a. Enter upon the premises where a source is located or emissions-related activity is conducted, or where records are kept;
   b. Have access to and copy, at reasonable times, any records required by the permit:
      i. During normal office hours, and
      ii. During periods of emergency when prompt access to records is essential to proper assessment by the Cabinet;
   c. Inspect, at reasonable times, any facilities, equipment (including monitoring and pollution control equipment), practices, or operations required by the permit. Reasonable times shall include, but are not limited to the following:
      i. During all hours of operation at the source,
      ii. For all sources operated intermittently, during all hours of operation at the source and the hours between 8:00 a.m. and 4:30 p.m., Monday through Friday, excluding holidays, and
      iii. During an emergency; and

SECTION F - MONITORING, RECORD KEEPING, AND REPORTING REQUIREMENTS (CONTINUED)

d. Sample or monitor, at reasonable times, substances or parameters to assure compliance with the permit or any applicable requirements. Reasonable times shall include, but are not limited to the following:
   i. During all hours of operation at the source,
   ii. For all sources operated intermittently, during all hours of operation at the source and the hours between 8:00 a.m. and 4:30 p.m., Monday through Friday, excluding holidays, and
   iii. During an emergency.

4. No person shall obstruct, hamper, or interfere with any Cabinet employee or authorized representative while in the process of carrying out official duties. Refusal of entry or access may constitute grounds for permit revocation and assessment of civil penalties.

5. Reports of any monitoring required by this permit shall be reported to the division's Paducah Regional Office no later than the six-month anniversary date of this permit and every six months thereafter during the life of this permit, unless otherwise stated in this permit. The permittee may shift to semiannual reporting on a calendar year basis upon approval of the regional office. If calendar year reporting is approved, the semiannual reports are due January 30th and July 30th of each year. All reports shall be certified by a responsible official pursuant to Section 6(1) of Regulation 401 KAR 50:035, Permits. All deviations from permit requirements shall be clearly identified in the reports.

6. a. In accordance with the provisions of Regulation 401 KAR 50:055, Section 1 the owner or operator shall notify the Division for Air Quality's Paducah Regional Office concerning startups, shutdowns, or malfunctions as follows:
      1. When emissions during any planned shutdowns and ensuing startups will exceed the standards notification shall be made no later than three (3) days before the planned shutdown, or immediately following the decision to shut down, if the shutdown is due to events which could not have been foreseen three (3) days before the shutdown.
      2. When emissions due to malfunctions, unplanned shutdowns and ensuing startups are or may be in excess of the standards notification shall be made as promptly as possible by telephone (or other electronic media) and shall cause written notice upon request.

   b. In accordance with the provisions of Regulation 401 KAR 50:035, Section 7(1)(e)2, the owner or operator shall promptly report deviations from permit requirements including those attributed to upset conditions (other than emission exceedances covered by general condition 6 a. above) to the Division for Air Quality's Paducah Regional Office. Prompt reporting shall be defined as follows:

      For **excursions** from permit requirements other than emission limitations:
      i. For short-term (less than or equal to 24-hours in duration) excursions from, or failure to record the parameters used to monitor the performance of control devices, the permittee shall include a summary of the excursions in the semi-annual reporting required by Condition **F.**5. above.
      ii. For longer periods of excursion (greater than 24 hours in duration) or inability to record monitoring parameters, the permittee shall contact the Paducah Regional office within 72 hours (excluding weekends and holidays).

SECTION F - MONITORING, RECORD KEEPING, AND REPORTING REQUIREMENTS (CONTINUED)

For **exceedences** of emission limitations:

i. For short-term exceedences (less than or equal to 24-hours in duration), the permittee shall include a summary of the exceedences in the semi-annual reporting required by Condition **F.**5. above.

ii. For longer periods of exceedences (greater than 24-hours in duration), the permittee shall contact the Paducah Regional office within 72 hours (excluding weekends and holidays).

For **other requirements**:

In the event that the permittee is unable to fulfill a requirement (such as a performance test, compliance certification submittal) within the time frame specified herein, the permittee shall contact the Paducah Regional Office and the Frankfort Central office within 72 hours of expiration of the relevant time frame. Extensions of the time frames specified herein may be granted by the division upon a satisfactory request showing that an extension is justified.

7. Pursuant to 401 KAR 50:035, Permits, Section 7(2)(b), the permittee shall certify compliance with the terms and conditions contained in this permit, annually on the permit issuance anniversary date by completing and returning a Compliance Certification Form (DEP 7007CC) (or an approved alternative) to the Division for Air Quality's Paducah Regional Office and the U.S. EPA for Title V in accordance with the following requirements:
   a. Identification of each term or condition of the permit that is the basis of the certification;
   b. The compliance status regarding each term or condition of the permit;
   c. Whether compliance was continuous or intermittent; and
   d. The method used for determining the compliance status for the source, currently and over the reporting period, pursuant to 401 KAR 50:035, Section 7(1)(c),(d), and (e).
   e. The certification shall be postmarked by the thirtieth (30) day following the applicable permit issuance anniversary date, or by January 30th of each year if calendar year reporting is approved by the regional office. **Annual compliance certifications should be mailed to the following addresses:**

      Division for Air Quality
      Paducah Regional Office
      4500 Clarks River Road
      Paducah, Kentucky 42003

      Division for Air Quality
      Central Files
      803 Schenkel Lane
      Frankfort, KY 40601

      U.S. EPA Region IV
      Air Enforcement Branch
      Atlanta Federal Center
      61 Forsyth St.
      Atlanta, GA 30303-8960

8. In accordance with Regulation 401 KAR 50:035, Section 23, the permittee shall provide the division with all information necessary to determine its subject emissions within thirty (30) days of the date the KEIS emission report is mailed to the permittee.

SECTION F - MONITORING, RECORD KEEPING, AND REPORTING REQUIREMENTS (CONTINUED)

9. Pursuant to Section VII.3 of the policy manual of the Division for Air Quality as referenced by Regulation 401 KAR 50:016, Section 1(1), results of performance test(s) required by the permit shall be submitted to the division by the source or its representative within forty-five days after the completion of the fieldwork.

10. Bulk gasoline terminals:

    Pursuant to 40 CFR 63, Subpart A, Paragraph 63.1(b.)(3);
    An owner or operator of a stationary source that emits (or has the potential to emit, without considering controls) one or more hazardous air pollutants who determines that the source is not subject to a relevant standard or other requirement established under 40 CFR 63, shall keep a record of the applicability determination as specified in 40 CFR 63.10(b)(3).

    Pursuant to 40 CFR 63, Subpart A, Paragraph 63.10(b.)(3);
    Record keeping requirement for applicability determinations. If an owner or operator determines that his or her stationary source that emits (or has the potential to emit, without considering controls) one or more hazardous air pollutants is not subject to a relevant standard or other requirement established under 40 CFR 63, the owner or operator shall keep a record of the applicability determination on site at the source for a period of 5 years after the determination, or until the source changes its operations to become an affected source, whichever comes first. The record of the applicability determination shall include an analysis (or other information) that demonstrates why the owner or operator believes the source is unaffected (e.g., because the source is an area source). The analysis (or other information) shall be sufficiently detailed to allow the Director to make a finding about the source's applicability status with regard to the relevant standard or other requirement. If relevant, the analysis shall be performed in accordance with requirements established in subparts of 40 CFR 63 for this purpose for particular categories of stationary sources. If relevant, the analysis should be performed in accordance with EPA guidance materials published to assist sources in making applicability determinations under section 112, if any.

SECTION G - GENERAL CONDITIONS

(a) General Compliance Requirements

1. The permittee shall comply with all conditions of this permit. A noncompliance shall be (a) violation(s) of state regulation 401 KAR 50:035, Permits, Section 7(3)(d) and for federally enforceable permits is also a violation of Federal Statute 42 USC 7401 through 7671q (the Clean Air Act) and is grounds for enforcement action including but not limited to the termination, revocation and reissuance, or revision of this permit.

2. The filing of a request by the permittee for any permit revision, revocation, reissuance, or termination, or of a notification of a planned change or anticipated noncompliance, shall not stay any permit condition.

3. This permit may be revised, revoked, reopened and reissued, or terminated for cause. The permit will be reopened for cause and revised accordingly under the following circumstances:
   a. If additional applicable requirements become applicable to the source and the remaining permit term is three (3) years or longer. In this case, the reopening shall be completed no later than eighteen (18) months after promulgation of the applicable requirement. A reopening shall not be required if compliance with the applicable requirement is not required until after the date on which the permit is due to expire, unless this permit or any of its terms and conditions have been extended pursuant to Regulation 401 KAR 50:035, Section 12(2)(c);
   b. The Cabinet or the U. S. EPA determines that the permit must be revised or revoked to assure compliance with the applicable requirements;
   c. The Cabinet or the U. S. EPA (for Federal permits) determines that the permit contains a material mistake or that inaccurate statements were made in establishing the emissions standards or other terms or conditions of the permit;

   Proceedings to reopen and reissue a permit shall follow the same procedures as apply to initial permit issuance and shall affect only those parts of the permit for which cause to reopen exists. Reopenings shall be made as expeditiously as practicable. Reopenings shall not be initiated before a notice of intent to reopen is provided to the source by the division, at least thirty (30) days in advance of the date the permit is to be reopened, except that the division may provide a shorter time period in the case of an emergency.

4. The permittee shall furnish to the division, in writing, information that the division may request to determine whether cause exists for modifying, revoking and reissuing, or terminating the permit, or to determine compliance with the permit. [401 KAR 50:035, Permits, Section 7(2)(b)3e and 401 KAR 50:035, Permits, Section 7(3)(j)]

5. The permittee, upon becoming aware that any relevant facts were omitted or incorrect information was submitted in the permit application, shall promptly submit such supplementary facts or corrected information to the permitting authority.

6. Any condition or portion of this permit which becomes suspended or is ruled invalid as a result of any legal or other action shall not invalidate any other portion or condition of this permit. [401 KAR 50:035, Permits, Section 7(3)(k)]

SECTION G - GENERAL CONDITIONS (CONTINUED)

7. The permittee shall not use as a defense in an enforcement action the contention that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance. [401 KAR 50:035, Permits, Section 7(3)(e)]

8. Except as identified as state-origin requirements in this permit, all terms and conditions contained herein shall be enforceable by the United States Environmental Protection Agency and citizens of the United States.

9. This permit shall be subject to suspension if the permittee fails to pay all emissions fees within 90 days after the date of notice as specified in 401 KAR 50:038, Section 3(6). [401 KAR 50:035, Permits, Section 7(3)(h)]

10. Nothing in this permit shall alter or affect the liability of the permittee for any violation of applicable requirements prior to or at the time of permit issuance. [401 KAR 50:035, Permits, Section 8(3)(b)]

11. This permit shall not convey property rights or exclusive privileges. [401 KAR 50:035, Permits, Section 7 (3)(g)]

12. Issuance of this permit does not relieve the permittee from the responsibility of obtaining any other permits, licenses, or approvals required by the Kentucky Cabinet for Natural Resources and Environmental Protection or any other federal, state, or local agency.

13. Nothing in this permit shall alter or affect the authority of U.S. EPA to obtain information pursuant to Federal Statute 42 USC 7414, Inspections, monitoring, and entry. [401 KAR 50:035, Permits, Section 7(2)(b)5]

14. Nothing in this permit shall alter or affect the authority of U.S. EPA to impose emergency orders pursuant to Federal Statute 42 USC 7603, Emergency orders. [401 KAR 50:035, Permits, Section 8(3)(a)]

15 Permit Shield: Except as provided in State Regulation 401 KAR 50:035, Permits, compliance by the affected facilities listed herein with the conditions of this permit shall be deemed to be compliance with all applicable requirements identified in this permit as of the date of issuance of this permit.

16. All previously issued construction and operating permits are hereby subsumed into this permit.

SECTION G - GENERAL CONDITIONS (CONTINUED)

(b) Permit Expiration and Reapplication Requirements

This permit shall remain in effect for a fixed term of five (5) years following the original date of issue. Permit expiration shall terminate the source's right to operate unless a timely and complete renewal application has been submitted to the division at least six months prior to the expiration date of the permit. Upon a timely and complete submittal, the authorization to operate within the terms and conditions of this permit, including any permit shield, shall remain in effect beyond the expiration date, until the renewal permit is issued or denied by the division. 401 KAR 50:035, Permits, Section 12

(c) Permit Revisions

1. A minor permit revision procedure may be used for permit revisions involving the use of economic incentive, marketable permit, emission trading, and other similar approaches, to the extent that these minor permit revision procedures are explicitly provided for in the SIP or in applicable requirements and meet the relevant requirements of Regulation 401 KAR 50:035, Section 15.

2. This permit is not transferable by the permittee. Future owners and operators shall obtain a new permit from the Division for Air Quality. The new permit may be processed as an administrative amendment if no other change in this permit is necessary, and provided that a written agreement containing a specific date for transfer of permit responsibility coverage and liability between the current and new permittee has been submitted to the permitting authority thirty (30) days in advance of the transfer.

(d) Construction, Start-Up, and Initial Compliance Demonstration Requirements: NA

(e) Acid Rain Program Requirements

If an applicable requirement of Federal Statute 42 USC 7401 through 7671q (the Clean Air Act) is more stringent than an applicable requirement promulgated pursuant to Federal Statute 42 USC 7651 through 7651o (Title IV of the Act), both provisions shall apply, and both shall be state and federally enforceable.

(f) Emergency Provisions

1. An emergency shall constitute an affirmative defense to an action brought for noncompliance with the technology-based emission limitations if the permittee demonstrates through properly signed contemporaneous operating logs or other relevant evidence that:
   a. An emergency occurred and the permittee can identify the cause of the emergency;
   b. The permitted facility was at the time being properly operated;
   c. During an emergency, the permittee took all reasonable steps to minimize levels of emissions that exceeded the emissions standards or other requirements in the permit; and,
   d. The permittee notified the division as promptly as possible and submitted written notice of the emergency to the division within two working days after the time when emission limitations were exceeded due to the emergency. The notice shall meet the requirements of 401 KAR 50:035, Permits, Section 7(1)(e)2, and include a description of the emergency, steps taken to mitigate emissions, and the corrective actions taken. This requirement does not relieve the source of any other local, state or federal notification requirements.

SECTION G - GENERAL CONDITIONS (CONTINUED)

2. Emergency conditions listed in General Condition (f)1 above are in addition to any emergency or upset provision(s) contained in an applicable requirement.

3. In an enforcement proceeding, the permittee seeking to establish the occurrence of an emergency shall have the burden of proof. [401 KAR 50:035, Permits, Section 9(3)]

(g) Risk Management Provisions

1. The permittee shall comply with all applicable requirements of 40 CFR Part 68, Risk Management Plan provisions. If required, the permittee shall comply with the Risk Management Program and submit a Risk Management Plan to:
   RMP Reporting Center
   P.O. Box 3346
   Merrifield, VA, 22116-3346

2. If requested, submit additional relevant information by the division or the U.S. EPA.

(h) Ozone depleting substances

1. The permittee shall comply with the standards for recycling and emissions reduction pursuant to 40 CFR 82, Subpart F, except as provided for Motor Vehicle Air Conditioners (MVACs) in Subpart B:
   a. Persons opening appliances for maintenance, service, repair, or disposal shall comply with the required practices contained in 40 CFR 82.156.
   b. Equipment used during the maintenance, service, repair, or disposal of appliances shall comply with the standards for recycling and recovery equipment contained in 40 CFR 82.158.
   c. Persons performing maintenance, service, repair, or disposal of appliances shall be certified by an approved technician certification program pursuant to 40 CFR 82.161.
   d. Persons disposing of small appliances, MVACs, and MVAC-like appliances (as defined at 40 CFR 82.152) shall comply with the recordkeeping requirements pursuant to 40 CFR 82.166.
   e. Persons owning commercial or industrial process refrigeration equipment shall comply with the leak repair requirements pursuant to 40 CFR 82.156.
   f. Owners/operators of appliances normally containing 50 or more pounds of refrigerant shall keep records of refrigerant purchased and added to such appliances pursuant to 40 CFR 82.166.
2. If the permittee performs service on motor (fleet) vehicle air conditioners containing ozone-depleting substances, the source shall comply with all applicable requirements as specified in 40 CFR 82, Subpart B, Servicing of Motor Vehicle Air Conditioners.

SECTION H - ALTERNATE OPERATING SCENARIOS

Not Applicable

SECTION I - COMPLIANCE SCHEDULE

Not Applicable